

Lead Defendant	NEPA Cases filed in 2003	
	Cases Filed	Injunctions in 2003 cases
DOT	13	2
FCC	2	0
NRC	1	0
DOI	23	0
USDA	69	3
DOC	6	1
DOE	0	0
USACE	1	0
HUD	12	0
ARMY	2	0
Total	1	0
	130	6

2003 NEPA Case Dispositions				
	pre-2003	2003		All
Judgment for defendant	46	3		49
TRO	2	2		4
Preliminary injunction	7	4		11
Permanent injunction	5	2		7
Remand	14	2		16
Dismissal w/ settlement	19	3		22
Dismissal w/o settlement	24	5		29
Other action	23	10		33
Pending	107	96		205

Plaintiffs in NEPA Lawsuits	
Public Interest groups	191
Individual/Citizen assoc.	82
State government	8
Local government	16
Business groups	28
Property owners/residents	5
Indian tribes	9
Combination plaintiffs*	42

* i.e. local government AND individuals;
if a plaintiff type was in a combination with other plaintiff types, it was counted in the individual as well as the combination category

Basis for NEPA Dispositions				
	pre-2003	2003		ALL
Jurisdictional issues	18	3		21
Settlements/other	19	3		22
Federal action req. NEPA	3	0		3
EIS Adequacy	28	2		30
EA/FONSI Adequacy	20	3		23
SEIS	3	1		4
Categorical Exclusion	1	3		4

more detailed data available - see tables to right, highlighted this color orange
Other reasons may include:
1. Not enough data from agency to determine disposition basis
2. Overruling District Court, which had abused its discretion
TOTAL = all above categories except combo (to prevent double counting) [total bases for disposition should at least be as much as total judgments; bases may be larger than total judgments b/c may be more than one basis for a judgment]

Federal action requiring NEPA	
action not federal	1
NEPA required	2

SEIS	
need to prepare -new effects info	1
need to prepare - change in action	0
no need to prepare	3

EIS Adequacy	
adequate	21
incomplete, essential info	8
inadequate indirect effects	1
inadequate cumulative effects	0
alternatives: no action	0
alt. excluded/range	1
other	

EA/FONSI Adequacy	
adequate	13
incomplete, essential info	9
inadequate indirect effects	2
inadequate cumulative effects	0
alternatives not considered	0

